

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of TexasFiled 10-6-14
Clerk, U. S. District Court
Western District of Texas
By KRH DeputyUnited States of America
v.
Michael CantuCase No. SA:14-MJ-992

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 03, 2014 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

Code Section

21 U.S.C 841(a)(1) & 841(b)(1)(A)

Offense Description

CHARGE: Possession with intent to distribute 50 grams or more of a mixture
or substance containing a detectable amount of MethamphetaminePENALTIES: Not less than 10 years imprisonment not more than life. Fine
of not more than \$10 million, at least 5 years of supervised release, \$100
mandatory special assessment.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Complainant's signature

SAPD Gang Unit Detective M. Parkinson

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/04/2014 at 11:58 am

Judge's signature

City and state: San Antonio, Texas

Pamela Mathy, US MAGISTRATE JUDGE

Printed name and title

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Your Affiant is employed by the San Antonio Police Department (SAPD) where he is assigned to the Gang Unit as a Detective Investigator. This Affiant has been employed by SAPD for approximately 14 years and has been involved in numerous Gang and narcotic investigations on both the state and federal level.

Your Affiant received information that a known and documented "Orejon" gang member, by the name of **Michael Cantu (CANTU)**, was involved in the selling and distribution of commercial quantities of Methamphetamine from his residence located at XXXX Avondale Ave and throughout the City of San Antonio. Computer research was conducted on **(CANTU)** and he showed to reside at the listed address with his wife, Viridiana Garcia.

In the past week, surveillance observed **(CANTU)** enter and exit the residence through the front door with and without using a key and he would be seen entering the location without knocking. Surveillance has observed unknown individuals arriving at the location on foot or in a car. After a brief encounter with **(CANTU)** at the front door or in the front yard, the individuals who arrived at the location departed. Moving surveillance has also followed **(CANTU)** while he operated a black 2007 Dodge Charger to and from his residence. **(CANTU)** was seen meeting up with unknown individuals at nearby residences and parking lots. These meetings were brief and hand to hand transactions appeared to take place. With my training and experience, these types of behaviors and actions when taken together with the information gathered from the source, are consistent with those who distribute and sell narcotics.

On October 3 2014, surveillance was once again established at the listed location. **(CANTU)** was seen arriving at XXXX Avondale Ave while operating his black 2007 Dodge Charger. **(CANTU)** entered his residence for a short period and then exited. **(CANTU)** reentered his vehicle and departed the location. Moving surveillance followed **(CANTU)** as he traveled throughout the neighborhood at a high rate of speed. **(CANTU)** was observed failing to stop at a stop sign which faced him at Mission Rd and Kelly Dr. **(CANTU)** also failed to signal (right) as he turned northbound onto Mission Rd. Uniformed Gang Unit officers, in a marked patrol vehicle, then conducted a traffic stop of **(CANTU)** in the 300 block of Belden.

As Gang Unit officer Vader approached the driver's side of the Dodge Charger, he observed the driver and only occupant **(CANTU)** reaching in and around the center gear shifter. **(CANTU)** was then asked to step out of his driver's seat. As **(CANTU)** began to exit his driver's seat, Officer Vader observed a clear plastic baggie sticking out of from under the center console, in the same area **(CANTU)** was seen reaching into. **(CANTU)** was walked back to the patrol car and when checked, showed active on several Justice of the Peace Warrants. **(CANTU)** then advised the officers that there was nothing in the car and gave verbal consent to search it. A K-9 unit then arrived at the location and alerted to the same plastic baggie that Officer Vader observed sticking out from under the center console. Officer Vader retrieved the baggie and with his training and experience observed two (2) baggies containing an aggregate weight of **56** grams of alleged Methamphetamine.

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Detective Martinez then arrived at the traffic stop location and contacted **CANTU**. **CANTU** advised Detective Martinez that all of the narcotics in the car were his and it was for personal use. Detective Martinez advised **CANTU** that we have been watching him come and go from XXXX Avondale Ave and asked if anyone else was home. **CANTU** appeared to be nervous as he attempted to distance himself away from the address, advising Detective Martinez that he did not live at that location and that he lived at another address on Avondale Ave. **CANTU** further stated he had never been at that address before even after advising him that we just watched him walk in and out of the front door. **CANTU** advised Detective Martinez that if we were to go back to the address at XXXX Avondale Ave, anything we find inside the address was not his and that the only thing he had was in his car. **CANTU** then advised Detective Martinez he has seen a lot of “traffic” coming and going from the location but insisted he did not live there.

State Search Warrant #003086 was then requested and granted.

On October 3, 2014, State Search Warrant #003086 was executed at xxxx Avondale Avenue, San Antonio, Texas. **CANTU**'s wife, daughter and mother-in-law were inside the residence. **CANTU** was brought inside the location and everyone was then read the State Search Warrant as well as their Miranda Constitutional Rights via SAPD form 66-E. Cantu responded that he understood his rights. **CANTU** advised us that “everything” inside the residence was his and his family had no idea what he was doing.

A search of the residence was conducted at which point three (3) large plastic zip lock baggies containing an aggregate weight of **920** grams of suspected Methamphetamine was located on the top shelf inside the master bedroom closet. One (1) large plastic baggie containing an aggregate weight of **550** grams of suspected Methamphetamine under the kitchen sink and an aggregate weight **330** grams inside a black Nike Shoe box. A total of **1856** grams (over four pounds) of suspected Methamphetamine were taken into custody. All of the evidence was photographed and collected by the Evidence Custodian Detective Gonzales. **CANTU** and his wife were transported to the Gang Unit officer where they provided statements about their involvement in the selling and distribution of Methamphetamine from XXXX Avondale Ave and throughout the City of San Antonio.

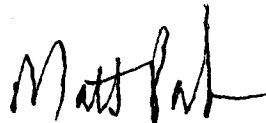
Assistant United States Attorney Judith Patton was contacted and informed of the details of the arrest, and authorized the booking of **CANTU** federally.

Seized controlled substances were field tested and showed a positive result for Methamphetamine. All evidence was placed into the San Antonio Police Department's Property Room.

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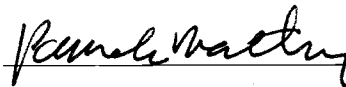
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A handwritten signature in black ink, appearing to read "Matt Parkinson", written over a horizontal line.

Matthew Parkinson

SAPD Gang Unit Detective

Sworn to before me and subscribed in my presence on October 4, 2014 at San Antonio,
Texas, *at 11:58 a.m.*

A handwritten signature in black ink, appearing to read "Pamela Mathy", written over a horizontal line.

Pamela Mathy

United States Magistrate Judge